

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

United States of America

vs.

(1) Shawn Dewayne Johnson

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NO: DR:19-M -05106(1)

ORDER OF DETENTION PENDING TRIAL

In accordance with the Bail Reform Act, 18 USC 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

I. Findings of Fact

I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that there is probable cause to believe that the Defendant committed the offense alleged in the Complaint violation **21:846 Conspiracy to Possess with Intent to Distribute Controlled Substance**, for which a sentence of not less than 10 years and up to Life in prison. is prescribed.

Defendant signed a Waiver of the Preliminary Hearing stipulating to probable cause in the complaint and requested a Detention Hearing held with Alberto Ramon representing the defendant with John Kennedy representing the Government.

Defendant was contacting a CS and made arrangements to purchase 5 kilos of cocaine for 50 thousand dollars. Defendant met with CS in Eagle Pass, Texas, showed the CS and an undercover agent the money and followed the CS to a site to pick up the cocaine. Defendant called his sister to testify about his living arrangements and work history. Defendant does have a criminal history that includes an aggravated robbery.

Based on the information in the pretrial services report, Defendant's drug charge with substantial funds presented and presumption of statute, the Court finds by clear and convincing evidence that the Defendant poses a serious danger to the community. Because of the potential sentence if convicted, the Court concludes that the Defendant poses a serious risk of flight. Additionally the Court concludes there are no conditions or combination of conditions that will reasonably assure the appearance of the Defendant as required or to ensure the safety of the community.

II. Directions Regarding Detention

The Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of the Court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Signed on 5th day of June, 2019

A handwritten signature in black ink, appearing to read "V. R. Garcia", is written over a horizontal line.

VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE JUDGE